## REMARKS

Claims 1, 12, and 21 have been amended. Claims 1, 2, 6-14, and 17 - 23 are pending in the present application. Claims 1, 11,12, and 21 are independent.

Claim 1 has been amended to particularly recite "a mating structure for releasably retaining the peripheral device such that a charging contact integral with the peripheral device is in direct physical and electrical contact with the mobile device retained in the sleeve".

Independent claim 11 stands unamended and recites "a mating structure for releasably retaining the peripheral device in direct physical and electrical contact with the mobile device when retained in the sleeve".

Claim 12 has been amended to recite "a peripheral device for wireless communication with the mobile device, the peripheral device having both a battery and an integral charging contact".

Independent Claim 21 has also been amended to recite that the peripheral device includes "an integral charging contact for providing a charge to the battery when placed in direct physical and electrical contact with a charging port of the mobile device".

Support for these amendments can be found in the application as originally filed at, *inter alia*, paragraphs [0018] and [0019] of the description and Figures 4A to 4C and 5A to 5C. No new subject matter has been added.

**CLAIM REJECTION UNDER 35 U.S. C. § 102(a)**

Claims 21 and 22 have been rejected under 35 U.S. C. § 102(a) as the Examiner asserts that these claims are anticipated by German Patent Document DE 10134830 A1 to Christal. In rejecting Claim 21, the Examiner asserts that Christal teaches a charging contact for providing a charge to the battery when placed in direct electrical contact with a charging port of a mobile device so as to permit the mobile device to charge the battery in the peripheral device. The Applicant respectfully traverses the Examiner's rejection and submits the following for the Examiner's consideration.

In order to anticipate, the cited reference must teach each and every element of the claim.

Claim 21 has been amended to recite "an integral charging contact for providing a charge to the battery when placed in direct physical and electrical contact with a charging port of the mobile device so as to permit the mobile device to charge the battery in the peripheral device" (emphasis added). This amendment has been made for the purpose of clarity. It is clear from Claim 21 that the peripheral device includes an integral charging contact for providing the charge to the battery when placed in direct physical and electrical contact with the charging port of the mobile device. Thus, the charging contact is part of the peripheral device.

German Patent Document DE 10134830 A1 to Christal teaches the use of intermediary electrical conductors for electrical contact of the mobile device with the peripheral device. Thus, the mobile device and the peripheral device are not in direct physical contact with eachother. Furthermore, the electrical contacts shown in Figure 2C, a portion of which is shown in Figure 2B, are clearly part of the holding device and are not part of the peripheral device. This is clear from the description of, for example, Figure 2B which clearly states "in the Fig. 2b has represented this holding device without the mobile telephone 2 and without the microphone headphone unit 3". Figure 2B, however, clearly shows the electrical contact 14 which forms part of the electrical conductors 19. Similarly, the electrical contacts 14 and 15 of the "distance piece" described in the application are part of the bag 4, as disclosed in paragraph [0031] which discloses that "distance piece 1 is in or at the bag 4". Thus, the electrical conductors shown in the German Reference are clearly not part of the peripheral

device for wireless communication with the mobile device. It is therefore believed that the Christal reference cannot possibly anticipate claim 21 of the present application, which requires that the peripheral device include an integral charging contact for providing a charge to the battery when placed in direct physical and electrical contact with a charging port of the mobile device.

Claim 22 includes all the limitations of independent 21 and, accordingly, it is believed that this claim also fully distinguishes over the cited reference.

**CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1- 3, 6-9, 11-20, and 23 have been rejected under under 35 U.S.C. §103(a) as the Examiner asserts that these claims are unpatentable over the Christal reference in view of Korean Patent Document KR 2002041098A to Kim. The Applicant respectfully traverses the Examiner's rejection of the claims and submits the following for the Examiner's consideration.

Claim 1, as amended, recites:
A holster for receiving and retaining a mobile device and a peripheral device, the holster comprising:

a sleeve for retaining the mobile device,

a mating structure for releasably retaining the peripheral device such that a charging contact integral with the peripheral device is in direct physical and electrical contact with the mobile device retained in the sleeve so as to permit the mobile device to charge a battery in the peripheral device through the charging contact of the peripheral device.

Thus, it is clear from claim 1 that the charging contact is part of the peripheral device (integral with) and the charging contact (that is part of the peripheral device) is in direct physical and electrical contact with the mobile device retained in the sleeve so as to permit the mobile device to charge a battery in the peripheral device through the charging contact of the peripheral device. Thus, the peripheral device is in direct physical and electrical contact with the mobile device.

As indicated above, the Christal reference teaches that the charging contacts of the peripheral device are connected to electrical contacts of the mobile device only through intermediary electrical conductors of the holding device. Thus, there is no teaching or suggestion of a charging contact that is integral with the peripheral device being in direct physical and electrical contact with the mobile device.

Korean Patent Reference KR 2002041098A to Kim teaches the use of an intermediary connector such as a cable having a jack for attaching a cellular phone and a cordless headset. While Kim teaches the use of such a connector for charging the battery in the peripheral device from the battery of the mobile device, Kim fails to teach or suggest a charging contact of the peripheral device being in direct physical and electrical contact with the mobile device. Instead, an intermediary connector is required.

Thus, neither of the cited prior art references teach or suggest a mating structure for releasably retaining the peripheral device such that a charging contact that is integral with the peripheral device (or part of the peripheral device) is in direct physical and electrical contact with the mobile device.

Instead, both prior art references teach the use of intermediary conductors. Further still, there is no direct physical contact between any part of the peripheral device and the mobile device in either of the cited references.

Based on the foregoing, it is submitted that there is no possibility of combining the prior art references to arrive at the present invention as claimed in independent claim 1.

With respect to claim 11, the Examiner asserts that the Christal reference teaches the headset in direct physical and electrical contact with the mobile device at paragraphs 31 and 33. There is no such disclosure, however. These paragraphs of the cited reference teach the use of a "distance piece" as an intermediary between the mobile device and headset. Referring to Figure 1 of the cited reference, the headset sits in a front pocket while the mobile phone is placed in the larger pocket (9). The two devices are connected by the intermediary distance piece (1) that is part of or in the bag (4). Similarly, Figure 2 shows a headset mounted to a device that includes the intermediary conductor 19. The mobile phone also mounts to the

same device, adjacent the headset, as best shown in Figure 2A. Neither the Figures nor the associated description teaches or suggests the two devices in direct physical and electrical contact, as required by claim 11. The Kim reference completely fails to cure the deficiencies of the Christal reference and therefore the cited references cannot possibly be combined to arrive at the presently claimed invention. Claim 11 is therefore believed to fully distinguish over the cited references.

Independent claim 12 has been amended to recite as follows:
A system for mobile communications comprising:

a mobile device, for connecting to a network providing voice services, having a charging port;

a peripheral device for wireless communication with the mobile device, the peripheral device having both a battery and an integral charging contact; and

a holster for receiving and retaining both the peripheral device and the mobile device so that the charging port and charging contact are in direct physical and electrical contact so as to allow the mobile device to charge the battery of the peripheral device.

Thus, it is clear that the peripheral device has a battery and a charging contact. It is also clear that the holster is for receiving and retaining both the peripheral device and the mobile device so that the charging port and charging contact (which is part of the peripheral device) are in direct physical and electrical contact

Again, the cited Christal reference teaches the peripheral device connected to the mobile device only through intermediary electrical conductors (with associated intermediary contacts) of the holding device. There is absolutely no teaching or suggestion of a charging contact that is integral with the peripheral device being in direct physical and electrical contact with the mobile device.

As indicated above, the Kim reference teaches the use of an intermediary connector such as a cable having a jack for attaching a cellular phone and a cordless headset. Kim fails to teach or suggest a charging contact that is integral with the peripheral device being in direct physical and electrical contact with the mobile device. Instead, the intermediary connector is used.

Therefore, the Kim reference fails to cure the deficiencies of the Christal reference as the Kim reference clearly teaches the use of a connector for connecting the cellular phone with the cordless headset.

It is therefore submitted that claim 12 fully distinguishes over the cited references.

Claims 2, 6-9, 13, 14, 17-20 and 23 include at least all of the limitations of one of independent claims 1, 11, and 12 and accordingly, it is believed that these claims fully distinguish over the cited references for at least the same reasons that claims 1, 11, and 12 are believed to distinguish over the cited references.

Claim 10 has been rejected under 35 U.S.C. §103(a) as being unpatentable over the Christal and Kim references as applied to claim 1 and further in view of United States Patent Application 2004/0116161A1 to Grivas et al.

As indicated above, the Christal and Kim references fail to teach or suggest a mating structure for releasably retaining the peripheral device such that a charging contact integral with the peripheral device is in direct physical and electrical contact with the mobile device. The Grivas reference fails to cure the deficiencies of the Christal and Kim references. In particular, the Grivas reference teaches the use of an intermediary connector between a camera peripheral device and a mobile device, as clearly shown in Figure 1. It is therefore believed that the claims of the present application fully distinguish over the cited Grivas reference when taken alone and when combined with the cited Christal and Kim references.

In the Examiner's Response to Arguments, the Examiner appears to have repeated the response in the prior Final Office Action and ignored the amendments made to the claims. Neither of the prior art references teach or suggest the features of, for example, claim 11, and the Examiner has not shown where in the prior art these features are taught. Furthermore, nowhere in the response to the Final Office Action or in the Request for Continued Examination was there any argument submitted that there is no suggestion to combine the references.

Based on the foregoing amendments and remarks, it is believed that this application is now in condition for allowance and early notification thereof is respectfully requested.

No fee is believed due for this submission. However, Applicant authorizes the Commissioner to debit any required fee from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP. The Commissioner is further authorized to debit any additional amount required, and to credit any overpayment to the above-noted deposit account.

Respectfully submitted,

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